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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
AT TACOMA

10 ADAM VINCENT MLADY,

11 Petitioner,

12 v.

13 STATE OF WASHINGTON,

14 Respondent.
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CASE NO. 3:19-cv-05549-BHS-DWC

ORDER SUBSTITUTING
RESPONDENT

16 Petitioner Adam Vincent Mlday, who is proceeding *pro se*, filed a Petition for Writ of
17 Habeas Corpus pursuant to 28 U.S.C. § 2254. Dkt. 6. In his Petition, Petitioner named the State
18 of Washington as Respondent. *See id.* The proper respondent to a habeas petition is the “person
19 who has custody over [the petitioner].” 28 U.S.C. § 2242; see also § 2243; *Brittingham v. United*
20 *States*, 982 F.2d 378 (9th Cir. 1992); *Dunne v. Henman*, 875 F.2d 244, 249 (9th Cir. 1989).
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1 According to the docket, Petitioner is currently confined at Cedar Creek Corrections Center
2 (“CCCC”) in Littlerock, Washington. *See* Dkt. 7.¹ The Superintendent of CCCC is Al Smack.

3 Accordingly, the Clerk of Court is directed to substitute Al Smack as the Respondent in
4 this action. The Clerk of Court is also directed to update the case title.

5 Dated this 19th day of June, 2019.

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8 David W. Christel
9 United States Magistrate Judge
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23 ¹ The Court notes in the Petition, Petitioner lists the place of confinement as “CRCC – Washington.” Dkt. 6
24 at 1, 15 (signed June 7, 2019). However, on June 17, 2019, the Clerk’s office received notification Petitioner was transferred to Cedar Creek Corrections Center. Dkt. 7.